

Message Text

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PAGE 01 WELLIN 00322 272148Z
ACTION COME-00

INFO OCT-01 EA-09 ISO-00 EB-08 /018 W
-----280726Z 074713 /17

R 270428Z JAN 77
FM AMEMBASSY WELLINGTON
TO SECSTATE WASHDC 2638
INFO AMCONSUL AUCKLAND

UNCLAS WELLINGTON 0322

E.O. 11652: N/A
TAGS: BEXP, NZ
SUBJECT: PIERCE CHEMICAL COMPANY REQUEST FOR ASSISTANCE

REF: STATE 016302 AND PREVIOUS

1. IMPORTS OF CLIMICAL DIAGNOSTIC KITS INTO NEW ZEALAND
MUST BE LICENSED BY THE GNZ. LICENSES ARE ISSUED TO
SPECIFIC IMPORTERS FOR SPECIFIC QUANTITIES, BUT DO
NOT SPECIFY OR RESTRICT COUNTRY OF ORIGIN. SUCH A
LICENSE WAS APPARENTLY HELD BY HARRISON AND
CROSFIELD (H & C), WHICH HAD USED IT IN WHOLE OR
IN PART TO IMPORT FROM PIERCE.

2. EMBASSY AHAS BEEN INCONTACT WITH GNZ'S DEPARTMENT OF
TRADE AND INDUSTRY (DTI) WHICH ISSUES IMPORT LICENSES,
AND WITH GILMORE OF LAB SUPPLY PIERCE. AS OF JANUARY
26, DTI HAD NOT COMPLETELY UNRAVELLED HISTORY OF H & C
LICENSE, CITING STAFF SHORTAGES OVER EXTENDED HOLIDYA
PERIOD. PENDING FURTHER WORD FROM DTI, WHICH IS EXPECT-
ED MOMENTARILY, THERE SEEMS TO BE FOUR POSSIBILITIES:

A) H & C'S LICENSE MIGHT ALREADY HAVE BEEN TRANSFERRED
TO MEDICAL SUPPLIES NZ, WHICH WOULD PROBABLY NOT BE
INTERESTED IN AGREEING TO ITS FURTHER TRANSFER TO
LAB SUPPLY PIERCE. (PREVIOUS HOLDER OF A LICENSE
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 WELLIN 00322 272148Z

MUST AGREE TO ITS TRANSFER, AND THE TRANSFER MUST
BE APPROVED BY DTI. DTI OFTEN DOES NOT APPROVE
TRANSFERS BETWEEN TWO CONSENTING FIRMS.)

B) H & C'S PREVIOUS LICENSE WAS NOT TRANSFERRED TO MEDICAL
SUPPLIES, THE POINT BEING CHECKED BY DTI NOW. IN THAT
EVENT, IF H & C WILL AGREE, GILMORE CAN APPLY

FOR A TRANSFER. GILMORE IS IN TOUCH WITH H & C TO REQUEST THEIR FORMAL CONCURRENCE.

C) H & C CAN RETAIN ITS LICENSE, BUT PERMIT LAB SUPPLY PIERCE TO IMPORT UNDER IT IN H & C'S NAME. THIS POSSIBILITY ALSO BEING EXPLORED BY GILMORE.

D) LAB SUPPLY PIERCE CAN BE ISSUED A NEW LICENSE IN ITS OWN RIGHT. AN APPLICATION TO THIS EFFECT FILED WITH DTI BY GILMORE WAS DISAPPROVED IN NOVEMBER, AND GILMORE WILL BE APPEALING THAT DENIAL WITHIN THE NEXT FEW DAYS. CHANCES OF SUCCESS ARE PROBABLY SLIM.

3. AS LICENSES WHEN ISSUED DO NOT SPECIFY COUNTRY OF ORIGIN OF GOODS COVERED, DTI IS NOT INTENTIONALLY DISCRIMINATING AGAINST PIERCE OR U.S. EQUIPMENT. IMPORTERS WHO HOLD LICENSES DETERMINE WHERE AND FROM WHOM THEY WILL BUY. BECAUSE OF THIS, EMBASSY, IN DEALING WITH DTI, HAS STRESSED PIERCE'S ROLE AS A TRADITIONAL SUPPLIER TO THE NZ MARKET AND ITS OBVIOUS INTEREST IN RETAINING ITS POSITION HERE. THIS APPROACH HAS BEEN RECEIVED SYMPATHETICALLY, AND EMBASSY BELIEVES THAT IF A POSSIBILITY EXISTS WITHIN THE IMPORT LICENSING REGULATIONS FOR PIERCE TO REMAIN IN THE NZ MARKET, DTI WILL NOT STAND IN THE WAY.

4. EMBASSY REMAINS IN TOUCH WITH DTI AND GILMORE, AND WILL REPORT DEVELOPMENTS AS THEY OCCUR.
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PAGE 03 WELLIN 00322 272148Z

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Disposition Approved on Date:
Disposition Case Number: n/a
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